

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Donne Alewine White, and William Gary
White, III,

Plaintiffs,

v.

Chase Mortgage Company,

Defendant.

C/A No. 3:12-cv-01808-JFA

ORDER

This matter comes before the court on a motion for summary judgment filed by the defendant, Chase Mortgage Company. ECF No. 34. The plaintiffs have not responded to the motion, despite being given additional time to respond and being warned that this action may be decided on the record presented in support of the defendant's motion, see Local Civil Rule 7.06 DSC, or may be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

Because of the plaintiffs' failure to respond, the Magistrate Judge assigned to this action¹ prepared a Report and Recommendation ("Report"), ECF No. 39, in which she opines that this court should dismiss the complaint with prejudice for lack of prosecution. The Report sets forth

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(g) (D.S.C.). The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

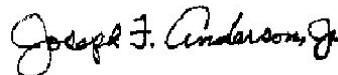
the relevant facts and standards of law on this matter, and this court incorporates those facts and standards without a recitation.

Plaintiffs were advised of their right to object to the Report, which was entered on the docket on April 1, 2014. However, Plaintiffs did not file objections. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, as well as the Report, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, the court adopts the Report and dismisses the complaint with prejudice.

IT IS SO ORDERED.

April 30, 2014
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge